

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA
Minute Entry

Hearing Information:

Debtor: C.M.B. III, L.L.C.
Case Number: 2:10-bk-30496-GBN Chapter: 11
Date / Time / Room: THURSDAY, MAY 19, 2011 10:00 AM 7TH FLOOR #702
Bankruptcy Judge: GEORGE B. NIELSEN
Courtroom Clerk: LUANN BELLER
Reporter / ECR: JO-ANN STAWARSKI

Matters:

- 1) INITIAL HEARING ON CONFIRMATION OF PLAN
R / M #: 96 / 0
- 2) CONTINUED PRETRIAL CONFERENCE RE: MOTION TO DETERMINE VALUE OF COLLATERAL FOR PURPOSES OF PLAN CONFIRMATION. (FR. 3/29)
R / M #: 102 / 0
- 3) CONTINUED FINAL HEARING RE: MOTION FOR RELIEF FROM STAY FILED BY UNION FIDELITY LIFE INSURANCE.(FR. 3/29)
R / M #: 57 / 0
- 4) CONTINUED HEARING RE: MOTION TO DISMISS FILED BY UNION FIDELITY LIFE INSURANCE.(FR. 3/29)
R / M #: 34 / 0
- 5) EXPEDITED HEARING ON DEBTOR'S EMERGENCY MOTION FOR AUTHORIZATION TO USE CASH COLLATERAL (FR. 4/7)
R / M #: 152 / 0

Appearances:

MAUREEN GAUGHAN, TRUSTEE
RICHARD M. LORENZEN, ATTORNEY FOR C.M.B. III, L.L.C.
ISAAC M. GABRIEL, ATTORNEY FOR UNION FIDELITY LIFE INSURANCE COMPANY
PATTY CHAN, ATTORNEY FOR U.S. TRUSTEE

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Proceedings:

Mr. Lorenzen reviewed this matter, asking that a one half day valuation hearing be set the end of June, then the parties consider mediation.

Mr. Gabriel explained his concerns regarding scheduling, stating that he would prefer all matters be heard together. He also noted his concerns regarding cash collateral.

COURT: IT IS ORDERED SETTING A VALUATION HEARING ON JULY 11, 2011 AT 1:00 P.M. ALLOWING 1/2 DAY. COUNSEL ARE DIRECTED TO EXCHANGE AND FILE LISTS OF WITNESSES AND EXHIBITS BY JUNE 27, 2011 AND ALL DISCOVERY IS TO BE COMPLETED BY JULY 5, 2011.

Mr. Gabriel addressed the issue of adequate protection payments.

Mr. Lorenzen responded, stating that the property is not declining in value and is being managed properly.

The Court discussed adequate protection payments with counsel.

COURT: IT IS ORDERED DIRECTING ADEQUATE PROTECTION PAYMENTS TO COMMENCE JUNE 1, 2011.

Ms. Chan reviewed the U.S. Trustee's position.

COURT: IT IS ORDERED SETTING A PRETRIAL CONFERENCE ON THE REMAINING CALENDAR ITEMS FOR JULY 11, 2011 AT 1:00 P.M.